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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,582	11/25/2003	Joseph F. Obermilier	PA-5213-CIP-CON	5774
48004	7590	01/22/2008	EXAMINER	
BRINKS HOFER GILSON & LIONE/INDY/COOK ONE INDIANA SQUARE SUITE 1600 INDIANAPOLIS, IN 46204-2033			ART UNIT	PAPER NUMBER

DATE MAILED: 01/22/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

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JAN 24 2008

BRINKS, HOFER,  
GILSON & LIONE

**DETAILED ACTION**

***Response to Amendment***

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**JAN 24 2008**

**BRINKS, HOFER,  
GILSON & LIONE**

1. The reply filed on November 19, 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

a. Regarding claim 18, the present copy of claim 18 (filed November 19, 2007) does not match the previous copy of claim 18 (filed March 14, 2006). There are limitations that have been recently added, which new limitations were not underlined. Further, there are limitations that were completely deleted, rather than said limitations being ~~struck through~~.

For example, newly added limitation "*within the folded edge portion; and*" (see current copy of claim 18 at lines 10-11) was not underlined. The limitation "*folding the overhang portion of the flexible biomaterial over the one or more struts, generally enclosing the one or more struts within the folded edge portion; and*" (see previous copy of claim 18, at lines 10-12) was completely removed/deleted. This does not comply with 37 CFR 1.121.

b. Applicant has failed to specifically point out the support in the original disclosure for each of the newly presented claim limitations, such as "*in a hydrated condition*" (see claim 18) and newly added dependent claims 26 and 27 (see M.P.E.P. 714.02).

2. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javier G. Blanco whose telephone number is 571-272-4747. The examiner can normally be reached on M-F (9:00 a.m.-7:00 p.m.), first Friday of the bi-week off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott can be reached on (571) 272-4754. The fax phone numbers for the organization where this application or proceeding is assigned is 571-273-8300 for regular communications and After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javier G. Blanco

January 16, 2008



  
David H. Willse  
Primary Examiner



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10721582	11/25/03	OBERMILLER, JOSEPH F.	PA-5213-CIP-CON

BRINKS HOFER GILSON & LIONE/INDY/COOK  
ONE INDIANA SQUARE  
SUITE 1600  
INDIANAPOLIS, IN 46204-2033

## EXAMINER

Javier G. Blanco

ART UNIT	PAPER
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20080116

3774 *EB*

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